

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

3. Claims 1-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sull (US 2005/0193425 A1), hereinafter referred to as Sull, in view of Hensgen (US 2003/0009769 A1), hereinafter referred to as Hensgen.

4. Regarding claim 1, Sull discloses a method of outputting from a player (2) interactive audiovisual content stored on a removable storage medium storing audiovisual content, a control application and at least one additional linked application in a predetermined interactive television platform independent standard (**pg. 2, paragraph 23**), including the steps of: starting a control application (28) stored on the removable storage medium (6) (**pg. 8, paragraph 93**);

calling the audiovisual display application (20) from the control application (28) **(pg. 8, paragraphs 92-93)**;

reading audiovisual data from the removable storage medium using the audiovisual display application (20) and providing an audiovisual display based on that content **(pg. 8, paragraphs 90-93)**;

calling at least one linked application (29) from the control application (28) to execute the or each linked application (29) **(pg. 8, paragraph 90** *wherein the simple interactive features are linked and executed at user's selection*);

wherein the control application (28) stored on the removable storage medium (6) implements part of the functionality of the interactive television predetermined platform independent standard including at least part of an application programming interface (40) of the predetermined platform independent standard **(pg. 8, paragraphs 90-93)**;

However Sull fails to disclose the at least one linked application (29) calls the application programming interface (40) of the predetermined platform independent standard when executing. Hensgen discloses the at least one linked application (29) calls the application programming interface (40) of the predetermined platform independent standard when executing **(pg. 8, paragraph 84** *wherein the retrieved interactive application causes the EPG application to be executed as well*). Motivation to combine the references is due to the fact that both deal with combining viewable media with an user selectable interactive content option. Therefore the invention would have been obvious to one of ordinary skill in the art at the time of the invention.

5. Regarding claim 2, Sull discloses a method wherein the control application (28) implementing at least part of the functionality of the predetermined interactive television platform independent standard is written in a computer platform independent standard **(pg. 9, paragraph 104 wherein JAVA is the computer platform independent standard)**.

6. Regarding claim 3, Sull discloses a method wherein the control application (28) reads an application information table (27) stored on the removable storage medium (6) and calls the at least one linked application (29) based on the information in the application information table (27) **(pg. 8-9, paragraphs 96-97 wherein the linked content is the descriptive data about content contained therein)**.

7. Regarding claim 4, Hensgen discloses a method further including registering specified events with the audiovisual display application (20) **(pg 8, paragraphs 84-85)**; and calling back from the audiovisual display application (20) to the control application (28) when one or more of the specified events occur **(pg. 8, paragraphs 84-86)**.

8. Regarding claims 5 and 9, Sull discloses a method wherein the predetermined interactive television platform independent standard is MHP **(pg. 9, paragraph 104)**.

9. Regarding claim 6, Sull discloses a method wherein the disk is a DVD disk and the audiovisual display application (20) is a DVD-video reader for reading DVD-Video content from the disk **(pg. 8, paragraphs 90-93)**.

10. Regarding claim 7, Sull discloses a method wherein the control application (28) acts as an interpreter to interpret the code of the linked applications **(pg. 8, paragraphs 90-93)**.

11. Regarding claim 8, Sull discloses a removable storage medium (6), including audiovisual content (22) **(pg. 8, paragraph 90-91)**;

application code (29) in a predetermined interactive television platform independent standard **(pg. 8, paragraphs 92-93)**;

and a control application (28) for calling the application code (29) and for calling a virtual machine (20) to display the audiovisual content **(pg. 8, paragraphs 92-93)**.

However Sull fails to disclose wherein the control application (28) implements part of the functionality of the interactive television predetermined platform independent standard. Hensgen discloses wherein the control application (28) implements part of the functionality of the interactive television predetermined platform independent standard including at least part of an application programming interface (40) of the predetermined platform independent standard, so that the application code (29) calls the part of the application programming interface (40) to implement that least some of the functionality of the interactive television platform independent standard **(pg. 8,**

**paragraphs 84-86).** Motivation to combine the references is due to the fact that both deal with combining viewable media with an user selectable interactive content option. Therefore the invention would have been obvious to one of ordinary skill in the art at the time of the invention.

12. Regarding claim 10, Sull discloses a removable storage medium wherein the removable storage medium (6) is a DVD disk (**pg. 8, paragraphs 90-93**).

### ***Conclusion***

13. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Panabaker (US 2003/0023970 A1) discloses interactive television schema. Delpuch (US Patent No. 7,055,169 B2) discloses supporting common interactivity through presentation engine syntax.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to CHARLES N. HICKS whose telephone number is (571)270-3010. The examiner can normally be reached on M-F 7:30AM to 5PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris Kelley can be reached on 571-272-7331. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2623

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Chris Kelley/  
Supervisory Patent Examiner, Art  
Unit 2623

CNH